

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

**Case No.:** 5:23-cv-02017-VBF-BFM

**Date:** April 8, 2024

**Title:** Alfred G. Clarke v. John Does 1-4

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Present: The Honorable Brianna Fuller Mircheff, United States Magistrate Judge

Christianna Howard  
Deputy Clerk

N/A  
Court Reporter / Recorder

Attorneys Present for Plaintiff:  
N/A

Attorneys Present for Defendants:  
N/A

**Proceedings: (In Chambers) Order to Show Cause**

Plaintiff Alfred G. Clarke, currently housed at Corcoran State Prison, filed a pro se civil rights Complaint pursuant to 42 U.S.C. § 1983. (ECF 1.) In his Complaint, he alleges that his civil rights were violated while he was held at San Bernardino County Jail. (Compl. at 2.)

Plaintiff's Complaint names John Does #1-4 as Defendants. (*Id.* at 3.) He describes Defendants as San Bernardino County Sheriff's Deputies who assaulted him while on duty. (*Id.* at 4.)<sup>1</sup> Plaintiff alleges that "[o]n or about 2022," while he was handcuffed and shackled, Defendants slammed him to the cement floor, then punched and kicked his head and body. The beating was "prolonged for an extended amount of time." Plaintiff screamed for help, but that "only seemed to encourage" Defendants to continue beating him. (*Id.*)

Plaintiff was granted leave to proceed in forma pauperis. (ECF 5.) This Court screened Plaintiff's case and found that his allegations were sufficient to warrant service of the Complaint on Defendants. (ECF 6.) The Court noted

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<sup>1</sup> For ease of reference, the Court uses the ECF-generated page numbers when referring to electronically filed documents.

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though that Plaintiff had not provided enough information about the John Doe Defendants for the U.S. Marshals to be able to attempt service.

On February 6, 2024, the Court ordered Plaintiff to either amend the Complaint to add the names of any Doe Defendants he knows or provide any additional information that might facilitate service, including a more precise data or date range of the alleged incident, and any information about the tier or unit in which he was housed. The Court also ordered Plaintiff to provide the name of the San Bernardino County Jail facility in which the incident took place. Such action was required no later than March 6, 2024.

As of the date of this Order, Plaintiff has not responded to that order or otherwise communicated with the Court.

Accordingly, **no later than May 10, 2024**, Plaintiff is ordered to show cause—meaning, to explain to the Court—why his Complaint should not be dismissed without prejudice for failing to name proper Defendants, or to provide more specific information regarding the involved deputies, and the date and location of the subject incident.

Plaintiff's response to the Court, filed on or before May 10, 2024, explaining why his Complaint should not be dismissed, and providing more information regarding one or more Defendants, the date of the incident, and/or Plaintiff's place of incarceration at the time of the incident, shall be deemed compliance with this Order to show cause. Failure to respond to this Order **by May 10, 2024**, may result in dismissal of the Complaint for failure to prosecute and failure to follow court orders. Moreover, if Plaintiff still cannot provide enough information to facilitate service, his Complaint may ultimately be dismissed without prejudice—meaning, if there are steps Plaintiff can take to

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identify the Defendants who were involved in the assault, he should take those steps now.

**IT IS SO ORDERED.**

cc: Alfred G. Clarke, pro se

Initials of Preparer: ch